

FORM PTO-1449	Attorney Docket Number	58027-014000
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	Application Number	To be assigned
	Filing Date	October 10, 2003
	Applicant(s)	Judy Dering et al.
	Group Art Unit	To be assigned
	Examiner Name	To be assigned

U.S. PATENT DOCUMENTS						
EXAMINER INITIALS	DOCUMENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,560,699	May 6, 2003	Konkle	713	1	Oct 20, 1999

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIALS	DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS	
EXAMINER INITIALS	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	Masiakowski et al., "A Novel Family of Cell Surface Receptors with Tyrosine Kinase-like Domain," J. Biol. Chem., Vol. 267, No. 36, Dec 25, 1992, pp. 26181-26190.
	Perou et al., "Molecular portraits of human breast tumours," Nature, Vol. 406, Aug 17, 2000, pp. 747-752
	Sørlie et al., "Gene expression patterns of breast carcinomas distinguish tumor subclasses with clinical implications," PNAS, Vol. 98, No. 19, pp. 10869-70874.
	Veer et al., "Gene expression profiling predicts clinical outcome of breast cancer," Nature, Vol. 415, Jan 31, 2002, pp. 530-536.

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EXAMINER SIGNATURE	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE	

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Judy Dering et al. **Docket No.** 58027-014000
Filing Date: October 10, 2003 **Customer No.** 33717
Title: CONSTRAINTS-BASED ANALYSIS OF GENE EXPRESSION DATA

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT [37 C.F.R. § 1.56]

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

This Information Disclosure Statement is being submitted:

- ☒ 1. Within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d), or within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or before the mailing date of a first Office action on the merits, and therefore, Applicant believes no fee is required;
- ☐ 2. After the period specified in paragraph (1) above of this section, but before the mailing date of either a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311, whichever occurs first, and is accompanied by either:
- ☐ a. A statement that:

- (i) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months before the filing of the information disclosure statement; or
 - (ii) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months before the filing of the information disclosure statement;
- ☐ b. The fee for filing an Information Disclosure Statement under 37 C.F.R. § 1.17(p) is \$180.00.
- ☐ 3. After the period specified in paragraph (2) of this section, but on or before payment of the issue fee and is accompanied by:
 - ☐ a. A statement that:
 - (i) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months before the filing of the information disclosure statement; or
 - (ii) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months before the filing of the information disclosure statement;
 - ☐ b. A petition requesting consideration of the information disclosure statement; and

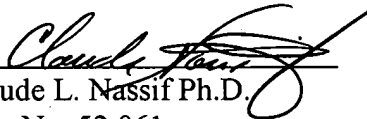
☐ c. The petition fee set forth in 37 C.F.R. § 1.17(i).

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

No fee is due with this IDS. However, the Commissioner is hereby authorized to charge any required fee in connection with the submission of this paper, or to credit any overpayment to Deposit Account No. 50-2638.

Respectfully submitted,

GREENBERG TRAURIG, LLP

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